

ELAP NEEDS ANALYSIS FOR LAW STUDENTS

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ABSTRACT

Malaysia is a unique country. Although Bahasa Malaysia is the national language, English language is still widely used in various situations. This flexibility has resulted to the use of English language in the legal profession in matters such as law-making processes, judicial proceedings, court proceedings and legal service (Noraini Ibrahim, 1997:19). Thus, it is imperative that law practitioners are proficient in the language to be effective in their profession. They should be equipped with the necessary language skills and sub-skills from their undergraduate years to enable them to cope well with the complex legal language used in legal textbooks, research journals, case books, law reports and Acts. This study looks into the language needs of law students in the International Islamic University Malaysia. The sample for the study consisted of law students and law subject lecturers. Two types of questionnaires were used in this study: students' questionnaire and lecturers' questionnaire. The findings of the study are discussed and implications of it towards the teaching of ESP for Law students are presented for future researchers.

Keywords: *needs analysis, language proficiency, english for law.*

INTRODUCTION

The increasing need for English has caused changes in English language teaching (ELT) especially in the last few decades. This requires a new look at one aspect of English Language Teaching, which is English for Specific Purposes (ESP). This is because ESP is about content based instruction in the disciplines of law, economics, physics, medicine and such.

There are two main strands of ESP: English for Occupational Purposes (EOP) and English for Academic Purposes (EAP). EOP is concerned with "the preparation for the professional occupations students are likely to go into when they graduate" (Flowerdew and Peacock,

2001:11). EAP on the other hand, refers to any English teaching that relates to a study purpose (Dudley-Evans and St. John, 1998). EAP is taught generally within educational institutions to students needing English for their academic courses. The language taught is based on particular disciplines at higher levels of education when the student specializes (in-study) or intends to specialize (pre-study) (Kennedy and Bolitho, 1990).

The foundation of ESP, including EAP is 'the specific needs of its learners/clients' (Dudley Evans and St. John, 1998). All decisions as to content and method of teaching are based on the learners' reason for learning. A needs analysis is necessary so that all subjective information can be collected and analyzed to define and validate the 'language' required of the students. It is an investigation of the purposes of the learner and the set of communicative needs arising from the purposes (Hutchinson and Waters, 1987). This information will eventually lead to the construction of an English language course to fulfill the specific needs of the learners.

This study will investigate the language needs of law students at IIUM with the ultimate aim of providing a guideline for the design of an ELAP course for them. The study will be based on the students' and lecturers' opinions and expectations. The findings from the study can help the practitioners concerned in preparing an EAP course which is subject specific to AIKOL i.e., English for Legal Academic Purposes (ELAP).

STATEMENT OF PROBLEM

Even though ELAP is already 'an established' sub-section of EAP (Dudley-Evans and St John, 1998:48), there is no such specialized EAP course offered in IIUM. The current EAP syllabus in the university is taught across all disciplines. Students of different specializations like engineering, law, medicine, economics, science, Islamic studies and architecture take the same EAP course of the same 'generalized' syllabus. This may not always be desirable in the context of students' academic development. Flowerdew and Peacock (2001) pointed out that EAP is focused upon specific language appropriate to the target discipline. Thus, there is a danger that the current EAP course might not be able to fully cater to students' specific language needs especially when they come from different disciplines of studies.

An EAP course designed specifically for law students is nothing new. A research done by Howe (1993, in Dudley Evans and St John, 1998:51) on international students following undergraduate Law courses in Britain has shown that English for Academic and Legal Purposes (EALP) courses are “of great help to these students”. In Malaysia, the language centre of UKM has already played an active role in providing the necessary language courses for the Faculty of Law by offering EALP starting from 1995/96 academic session (Noraini Ibrahim, 1997:51).

OBJECTIVES OF STUDY

This study aims to:

1. identify the attitudinal factors of IIUM law undergraduate with respect to the learning of ELP.
2. identify the perception of lecturers’ on ELP.
3. identify the lecturers’ expectations of students’ level of English language proficiency with reference to listening, speaking, reading and writing skills.
4. based on the analysis, draw up a guide which can serve as a basis in preparing a more specialized EAP course for law students (i.e., ELAP).

Thus, this study will try to answer the following questions:

1. What are the attitudinal factors of the law undergraduates in IIUM with respect to the English language and ELP?
2. What are the lecturers’ perceptions on ELP?
3. What are the lecturers’ expectations of the law undergraduates’ proficiency level in relation to their academic pursuit?

REVIEW OF RELATED LITERATURE

As mentioned in the introduction, this study will investigate the language needs of law students at IIUM with the ultimate aim of providing a guideline for the design of an ELAP course for the law students. In view of these objectives, this section reviews the relevant literature related to ESP, EAP, ELAP, syllabus design, the language skills in ESP and needs analysis.

English For Specific Purposes (ESP)

English for General Purposes (EGP), or also known as TENOR (Teaching English for No Obvious Reason), is more like a typical secondary school English language course. Its syllabus is based on a conception of the kind of reality that the students have to deal with in English (Holme, 1996). On the other hand, ESP is an 'enterprise' involving "education, training and practice", and drawing upon three major realms of knowledge: language, pedagogy, and students' specialist areas of interest" (Robinson, 2001).

Hence, it can be seen how ESP is different from EGP. The essentially fluid nature of ESP is normally an extension of what is learnt in EGP. As the names suggest, the English Language Teaching (ELT) continuum as in Dudley-Evans and St. John (1998:9), moves from general (EGP) to very specific (ESP) courses.

There are two main divisions which help to distinguish ESP situations: English for Academic Purposes (EAP) and English for Occupational Purposes (EOP) (Robinson, 2001:3).

The first division, EOP, involves work-related needs and training, it is not for academic purposes. According to Dudley-Evans and St. John (1998:7), it includes "professional purposes in administration, medicine, law and business, and vocational purposes for non-professional in work or pre-work situations". Unlike EOP, English for Academic Purposes (EAP) refers to any English teaching that relates to a study purpose (Dudley-Evans and St John, 1998). It is taught generally within educational institutions to students needing English for their academic courses. Since this study is specifically looking at an EAP course for law students, discussion will focus on EAP in more detail.

English For Legal Purposes (ELP)

English for Legal Purposes (ELP) is also known as English for Legal Academic Purposes (ELAP), or English for Academic Legal Purposes (EALP). Garner (2001) described ELAP as having its own mind-boggling jargon, rife with bloated expressions that displace everyday words". One of the reasons it is not so popular is because of its 'obscure expressions and circumlocutions, long-winded involved instructions and tortuous syntax, apparently meaningless repetitions and archaism' (Bhatia, 1993:101). However, for the specialist community, these are "indispensable linguistic devices which bring precision, clarity and unambiguity and all-inclusiveness" (Ibid:102). Hence, with the

complexity of legal language, it is evident that law undergraduates should be given training in a specific language course (ELAP) to prepare and enable them to understand the law 'language' before they are ready to handle actual law courses.

Bhatia (1993:2) has done extensive works on ELAP. He divides legal writing into three main areas: academic legal writing (textbooks and legal journals); judicial writing (court judgments, case book and law reports); and legislative writing (Acts of Parliament, statutory instruments, contracts, agreement and all of which serve to legislate). He stresses on the importance of academic (legal) writing in studying and practicing law. Hence, this study hope to shed light on the perception of law teachers and students on these two aspects.

ESP Syllabus Design

According to Flowerdew and Peacock (2001), there are several approaches to syllabus design. The most popular approach is The Learning Centred Approach developed by Hutchinson and Waters (1987). This approach 'concentrated not on the language items and skills students needed, but rather on what they had to do in class to learn these processes' where 'there is an emphasis on meaningful and appropriate content and on communication within the classroom.

Another approach is The Genre Based Approach. This approach uses materials and tasks based on authentic linguistic data in order to promote student awareness of the conventions and procedures of the genre in question.

The final approach, The Content Based Syllabus is also 'a very influential approach' (Flowerdew and Peacock, 2001). This approach relates language teaching to the eventual uses to which the learner will put the language. It requires attention to prior knowledge, existing knowledge, the total academic environment and the linguistic proficiency of the students.

Robinson (2001) highlighted the need of the syllabus design stage to be preceded by developments in materials design and methodology so that the process of course design can take place. This is only done when the theoretical decisions about the objectives and syllabus are put together in context.

NEEDS ANALYSIS

All ESP courses are based on a perceived need of some sort (Hutchinson and Waters, 1994). Thus, needs analysis is regarded as critical to ESP (Robinson, 2001). According to Robinson (2001), there are two key defining criteria which Dudley-Evans and St. John (1998) found to be true of ESP. Firstly, ESP is normally goal directed, the learners learn English because they need it for study or work purposes; Secondly, it is developed based on a needs analysis which intends to get the exact details of what learners really need through the medium of English.

The first stage of designing an ESP course as mentioned earlier is to answer questions like: 'Who is going to be involved in the process? Why do students need to learn this? Where is the learning to take place? When is the learning to take place? Is it of a particular target or situation?' (Hutchinson, 1993:21).

Studies on ESP

Similar needs analysis studies have been conducted on IIUM on students from the Kulliyyah of IRKHS. Adam Ismail Mohamed (1999) conducted a needs analysis study on psychology students. The study which aimed at identifying the language needs and language abilities of first year students of psychology in IIUM found the following:

1. Knowledge of English is a decisive factor for in-classroom and out-classroom interaction.
2. The students are in need of the teaching of the four skills (reading, writing, listening and speaking) integratively, but with emphasis on the productive skills (writing and speaking).
3. Certain sub-skills such as 'ability to skim and scan a text', 'ability to explain', 'ability to speak intelligibly and clearly' et cetera. received higher rating for their usefulness and should be included in any ESP programme for students of psychology.
4. Psychology as a content area together with a few varieties of other content areas is needed for designing an ESP course for psychology students.
5. Certain tasks such as role-play, writing reports, listen to and complete an outline received lower rating representing students' 'lacks'. Therefore, it is necessary to include them in any ESP course for students of psychology. However, the communicative and interactive tasks were preferred

more than other tasks and thus, needed more emphasis in the course design.

The findings were then transformed into a suggested framework and module of ESP course design for students of psychology at the university level.

In a similar study by Wafa Ismail Saud (2001), the language needs of students of history in IIUM were identified. The study clearly specifies the English language needs of students of History and the findings were used to provide a framework from which the History language course could be produced. The findings are as follows:

1. A vast majority of the students had positive attitudes and high motivation on learning English as they were aware of the potential value of English to their studies and careers.
2. There is a need to integrate the four skills: Reading, Writing, Listening and Speaking with greater emphasis on writing and speaking, followed by reading and listening.
3. Grammar should be incorporated into the four skills and taught in context and in a meaningful way.
4. The content of this ESP course should be mainly subject-specific as it is derived from the students' area of study but should involve varieties of other types of texts to avoid 'boredom'.
5. The communicative approach is the preferred method of teaching as it allows the integration of various language-content elements such as thematic content, lexis, and notional and functional meaning.

From the two studies, we can conclude that students of psychology have similar language needs to students of history. This is mainly because they were studying human sciences subjects and were from the same faculty (IRKHS). This study, however, will examine the language needs of students from a different faculty, namely law students to find out whether there is a need for an ELAP course to be introduced in IIUM.

METHODOLOGY

The Subjects

For the purpose of this study, two types of subjects were selected. They were the law students and subject (law) lecturers. Due to time

constraints, only questionnaires were used for data collection although structured interviews were initially planned. This method was sufficient in extracting relevant information to achieve the objectives of the study.

Students

The first group was the target group; the law students themselves. They were the source for primary data and consisted of both Malaysian and international students. All of them spoke English as a second or foreign language. None of the respondents had English as their first language or mother tongue. Initially, the questionnaire was planned to be given out to third year students only. This is because they would have had at least 2 years experience of studying law. They had also taken the EAP course during their first or second year of studies. Therefore, they would be the best subjects to provide opinions on the language aspects relevant to law undergraduate students.

150 sets of questionnaires were given out but only 102 responded with 4 being partly incomplete. Only 57% of the respondents were third year students. The remaining number was 29% second year students, 13% first year students and 1% final year law student. From the 102 respondents, 37% were male students and the remaining which were the majority, were females (63%).

Lecturers

The second group was the law lecturers. They constituted the expert group that can best assess the existing students' language ability. They would also be able to anticipate whether the students are able to cope without a subject-specific EAP course (such as ELAP). They provided feedback on the types of expectations the subject lecturers would have for law students to be able to cope well in the law courses. As recommended by Merriam (1988:76), respondents were selected "on the basis of what they can contribute to the researcher's understanding of the phenomenon under study".

30 sets of questionnaires were given out to law lecturers of AIKOL. However, after much effort, 14 questionnaires were collected mostly from Public Law department (9), followed by Private Law department (4) and Islamic Law Department (1). 12 of the lecturers were Ph.D holders with 5 years or more experience in IIUM, whilst 2 others were LL.M holders and were quite new and had less than 5 years experience in the faculty. All the lecturers who responded to the questionnaires

were females except for one male lecturer who was from the Islamic Law department.

DATA COLLECTION

The students' questionnaires were administered with the help of the respective class lecturers and some students from the law faculty. The other questionnaires were administered with the help of students of the faculty and mostly done with the presence of the researcher.

The Questionnaires

Two types of questionnaires were used in this study:

- a. Students' Questionnaire
- b. Lecturers' Questionnaire

Adam Ismail Mohamad developed the two sets of questionnaires in his Master's thesis 'ESP Course Design for students of Psychology' adapted from Zughoul and Hussein (1985). These questionnaires were adopted as they have been proven effective for the collection of data for needs analysis purpose.

Both students' and lecturers' questionnaires were divided into 3 parts: Part 1 focused on personal and language background information on the subjects; Part 2 specified the English language skills and sub-skills required by subjects; and Part 3 investigated the perception of language abilities as viewed by the subjects.

DATA ANALYSIS AND FINDINGS

For the purpose of this paper, two out of the four findings are discussed and reported. The two aspects are: (1) Attitudinal and Motivational factors; and (2) Use of English outside classroom.

Attitudinal And Motivational Factors

The students' attitude and motivation towards English are investigated and discussed in this section. A comparison and contrast of the students' and lecturers' responses will provide an understanding of their English language attitudinal and motivational stands. Item 3 on the students' questionnaire and item 1 on the lecturers' questionnaire were designed

to elicit data on the importance of English for undergraduate students in order to cope with their studies.

With reference to item 3 in the students' questionnaire, as many as 51% (52) students agreed totally that the knowledge of the English language is a decisive factor for their academic success while 47% (48) of the students agreed partly. However, 2% (2) of the students were not sure. The common reasons given by students for agreeing totally and partly were that English is the medium of instruction at IIUM and legal references are mostly available in English. The reason given by one of the respondents, who was not sure, was that the course does not merely rely on understanding the language alone, but also the content. Thus, he believed that language alone would not help much without a good understanding of the course content.

Item 1 on the lecturers' questionnaire sought the lecturers' opinion whether the knowledge of the English language is a decisive factor to success at the university. 86% of the lecturers agreed with 50% (7) agreed totally, and another 43% (6) agreed partly that English is highly important at the university. Interestingly, 7% (1) lecturer was unsure. The reason given by that lecturer was that even though the teaching of law subjects is in English, the language in court and the prosecution is done in BM. However, we can say that the lecturers are in agreement with the students as both were aware of the importance of the English language in legal studies. Both the students and the lecturers agreed that English is important for law students for reasons as follows:

- English is the medium of instruction in IIUM
- Most legal texts and references are written in English (influence of English Law)
- Most legal discussions and seminars are conducted in English
- English is an influential international language of communication

In responding to item 4 in the students' questionnaire, 43% (44) of the students agreed entirely indicating a great desire to learn English. Some of the common reasons given are, most law references are in English as well as its importance as the international language. 1 respondent interestingly stated that learning English is fun. 55% (56) partly agreed that they like learning the language. The most common reason being the importance of the language in their academic pursuit as law students. However, only 2% (2) were not sure of whether they like learning English. The reason given by the 2 respondents was that English can

threaten the status of the national language which is Bahasa Melayu (BM).

The findings above indicate that the students were aware of the importance of English not only for their studies, but also for their future career. Such instrumental factors are highly useful in motivating them to learn the language.

The Use of English Outside the Classroom

Since both students and lecturers have recognized the importance of English for academic excellence, the use of it should not be limited to only classrooms, but also outside the classrooms so as to ensure optimum acquisition of the language (Krashen, 1982). However, when asked whether they use English in activities outside classroom in item 2 of the students' questionnaire, 82% or 84 respondents answered No leaving a mere 18% who answered Yes. This indicates that many students did not interact in English outside the classroom. This is not surprising as more than 90% of the respondents were local students and they normally communicate in BM. Despite that, one needs to be aware of the subjectivity of the question. This is because each individual might interpret the question differently. The question simply says 'Do you use English in the activities outside the classroom?' and is a Yes/No question. An individual might assume that repeating some formulaic expressions everyday could be considered as a Yes while another person might expect it to be used more meaningfully involving negotiating meaning within an ongoing conversation. Nonetheless, it is evident that the students need more opportunity to interact in English for practice especially to gain more confidence. An ESP course with lots of communicative activities would be the best solution to ensure that students get enough practice to build their confidence in using the language.

Item 9 in the lecturers' questionnaire asked whether the students are expected to use English in their future career. All 14 lecturers ticked the Yes box and agreed that the students will need to communicate in English in their career. In indicating the rate of frequency for the usage of English expected in their future career, 43% (6) of the lecturers chose 'often' while 57% (8) others had chosen 'always'. On whom did the lecturers expect the students to use English in their future career, they came up with a few answers and the following are the answers given with the frequency depicted in parentheses.

- Clients (All 14 lecturers included this)
- Colleagues (4)
- Other professionals (4)
- In Court (1)

It is not surprising that all lecturers included clients because the nature of the 'business' involves a lot of communication, interaction and negotiation involving the practitioner and the clients (or potential clients). English also comes quite naturally in such discussions as most of the legal terms and references are in English.

In item 11, the lecturers were asked to anticipate the language skills the students would use most in their career, 71% or 10 lecturers had chosen speaking as the most important skill, 2 lecturers said listening and speaking while 2 other lecturers said that all four skills are most important in their career. In item 12, the lecturers were asked to rate the frequency of use of each skill using number 1 to 5 (1-sometimes, 2- regularly, 3- occasionally, 4-often, 5- always). All the lecturers had chosen either 4 (often) or 5 (always) agreeing that the students would need all the four skills in their career. The score and mean score for each of the four language skills were calculated in Table 4.1 below to show the lecturers' rating.

Table 4.1: Lecturers' rating of the relative usefulness
of the four language skills

Language Skills	Score	Mean Score	Rank
Speaking	67	4.79	1
Writing	66	4.71	2
Listening	64	4.57	3
Reading	64	4.57	3

From the findings, we can conclude that the majority of the students did not use English outside the classroom even though they were aware of the importance of English as proven in the findings from item 3 of the students' questionnaire earlier. We have also identified Speaking skills as being the most useful language skill for them in their career as foreseen by the lecturers, followed by Writing skills, Listening skills and Reading skills. Thus, the findings indicate that Speaking and Writing skills should be given more emphasis in any ESP programme for law students.

CONCLUSION AND RECOMMENDATIONS

The law undergraduates at IIUM realized the importance of English not only for their academic success, but also for their future career as legal officers, lawyers, law maker etc.as a means of communication. This type of awareness serves as an instrumental factor to motivate them to learn and practice English or ESP to be specific. Hence, it can be concluded that the majority of the students had positive attitudes and high motivation in learning English.

The majority of the law students hardly used English outside the classroom although they were aware of its importance. Most of them used their mother tongue as the main language of daily communication. This is the main reason why the lecturers thought that the students were weak in the language; lack of practice especially in communication. Most students relied totally on classroom practice and did not use English outside the classroom.

In identifying the language needs of law students, both students and lecturers had identified the significance of the integration of the 4 language skills. However, the students had ranked Writing skill as the most important language skill required followed by Speaking, Reading and Listening. They believed that good writing skills are vital in order to pass their university exams. In addition, writing in legal studies involves complex structures to cater to the need for 'conciseness' (Bhatia,1993). Speaking skills which falls second is also important especially for them to be effective in class discussion and mock trial sessions.

On the other hand, acknowledging the importance of the integration of the 4 skills, the lecturers identified Speaking skills as the most important language skill for law students. This is because they believed that to be a good law student, a student needs to be equipped with a strong foundation of Speaking skill as they would need that in the many discussions, arguments and negotiations a law student would face.

The students perceived their overall language ability as being between average to good. Thus, although the students had the appropriate attitude and motivation to learn the language as mentioned earlier, they lack the confidence in using the language and obviously realizing the need alone would not help without enough effort. The lecturers were in agreement with the students on this and it is evident that the students' language ability was below the lecturers' level of expectation.

The results from both questionnaires emphasized the need to integrate the four skills in the syllabus design placing writing and speaking of higher importance. According to the findings, these productive skills constitute problematic areas for law students. Certain sub-skills were identified to require special attention to in the syllabus design. These sub-skills are 'Expressing purpose, reason and result', 'Sequencing ideas' and 'Expressing cause and effect relationship' for Writing. For Speaking, the sub-skills are 'Interacting in social conversation', 'Expressing opinion and suggestion', 'Raising questions and objections', and 'Participation in a problem-solving discussion'. For Reading, the sub-skills are 'Evaluating a text', 'Vocabulary development', and 'Identification of main points'. Finally, the sub-skills for Listening that need special attention are 'Understanding class discussion' and 'Understanding speaker's intention'.

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